

03650.000125



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ALAN SELLINGER

Application No.: 09/749,006

Filed: December 27, 2000

For: SELF ASSEMBLY OF
ORGANIC-INORGANIC
NANOCOMPOSITE THIN
FILMS FOR USE IN
HYBRID ORGANIC LIGHT
EMITTING DEVICES
(HLED)

Examiner: W. Markham

Group Art Unit: 1762

June 18, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Office Action dated May 24, 2004, Applicant provisionally elects the Group I claims, namely, Claims 1 to 22, 28, 29 and 36 to 39. The election is made with traverse.

Traverse is on the ground that there would not be undue burden in examining both groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent of distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be undue burden in examining two

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groups of claims in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination. Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

It is noted that Applicant made an oral election, with traverse, of the Group I claims over two years ago (in March, 2002) pursuant to a telephone request from the Examiner. It is not known why the oral election did not result in an action on the merits.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael K. Scinto", written over a horizontal line.

Attorney for Applicant

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